

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

TIMOTHY L. BEALS,)	
)	
Plaintiff,)	
)	
vs.)	No. CIV-15-194-C
)	
MARC DANIELS,)	
)	
Defendant.)	

ORDER ADOPTING SUPPLEMENTAL REPORT AND RECOMMENDATION

This civil rights action brought by a prisoner, proceeding pro se, was referred to United States Magistrate Judge Gary M. Purcell, consistent with the provisions of 28 U.S.C. § 636(b)(1)(B). Judge Purcell entered a Supplemental Report and Recommendation on October 18, 2016, to which Petitioner has timely objected. The Court therefore considers the matter de novo.

The facts and law are accurately set out in the Magistrate Judge's Report and Recommendation and there is no purpose to be served in repeating them yet again. In his objection, Petitioner merely restates the conclusions and legal argument originally asserted, and raises no issue not fully and accurately addressed and rejected by the Magistrate Judge.

Accordingly, the Supplemental Report and Recommendation (Dkt. No. 54) of the Magistrate Judge is adopted, Defendant Daniels' Motion to Dismiss (Dkt. No. 45) is granted. Further, the Court declines to exercise supplemental jurisdiction over any state-law claims

asserted against Defendant Daniels. This civil rights complaint is therefore dismissed with prejudice. This dismissal counts as a “strike” under 28 U.S.C. § 1915(g).

IT IS SO ORDERED this 15th day of December, 2016.



ROBIN J. CAUTHRON
United States District Judge